

REMARKS

In accordance with the foregoing, claims 2-3, 6, 13-14, 17 and 26-27 have been amended. Claims 1-53 are pending and under consideration.

Independent claim 1 (used as an example herein) recites plural heaters provided on upper sides of the switching devices and metal wiring layers formed between the plural heaters and the switching devices.

In Fasen, the heating resistor 209 is not a separate part, but is part of the resistant layer 180. That is, the heating resistor 209 is the uncovered part of the resistant layer 180. The conductive layer 181 is connected to the transistor 126 so that, when the electric current is supplied, the part of the resistant layer 180 covered by the conductive layer 181 has reduced heat, while the heating resistor 209, not covered by the conductive layer 181, generates the heat that heats the ink. Fasen, lines 42-44 of column 9, lines 17-19 of column 10, and line 60 of column 10 to line 15 of column 11.

Considering that the uncovered section 209 of the resistant layer 180, or the "heater" as alleged by the Examiner, is part of the resistant layer 180, it is clear that the resistant layer 180 more closely corresponds to the claimed heater, and not the "metal wiring layer" as alleged by the Examiner.

Accordingly, Fasen does not disclose plural heaters provided on upper sides of the switching devices and metal wiring layers formed between the plural heaters and the switching devices.

Additionally, the conductive layer 181 is not another metal wiring layer as alleged by the Examiner, because element 181 is formed on top of the resistant layer 180 which forms the heating resistor 209, in contact with the resistant layer 180. Fasen does not disclose any element that corresponds to the claimed metal wiring layers within the insulating layer 124 formed below the resistant layer 180 acting as the heater 209.

Claim 2 recites at least one heat radiating part to which the metal wiring layers are connected and which is disposed on at least one side of an area where the plural heaters are provided. Although the Examiner has alleged that the external lead 270 of the reference corresponds to the claimed heat radiating part, the external lead 270 is connected to the gate 110 of the transistor 126, and connected to the second section 190 of the structure 182 (the two-layer structure of resistant layer 180 and conductive layer 181) which is electrically insulated from the

first section 183 having the heating resistor 209. Because the external lead 207 does not radiate any heat, it cannot correspond to the claimed heat radiating part.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date:

11-27-06

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